

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARVIN BRYANT,

No. C 06-0005 CW (PR)

Petitioner,

ORDER GRANTING PETITIONER LEAVE
TO PROCEED IN FORMA PAUPERIS ON
APPEAL

v.

T. FELKER, Warden,

Respondent.


In an Order dated January 24, 2011, the Court denied
Petitioner's pro se Petition for a Writ of Habeas Corpus under 28
U.S.C. § 2254 challenging the validity of his 2002 state
convictions for attempted murder, residential robbery, assault with
a firearm, and residential burglary. The Court also granted a
certificate of appealability as to two of Petitioner's four claims.

Petitioner filed a timely notice of appeal. On April 26,
2011, Petitioner filed his motion for leave to proceed in forma
pauperis (IFP) on appeal. When Petitioner first filed this action,
he paid the district court filing fee; therefore, he was not
proceeding IFP in this Court. Petitioner does need permission to
proceed IFP on appeal. See Fed. R. App. P 24(a)(1). Petitioner's
affidavit in support of his motion shows that he qualifies to
proceed IFP. Accordingly, his motion (docket no. 33) is GRANTED.

This Order terminates docket number 33.

IT IS SO ORDERED.

Dated: 5/3/2011



CLAUDIA WILKEN

United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

MARVIN BRYANT III,

Plaintiff,

v.

T.FELKER et al,

Defendant.

Case Number: CV06-00005 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on May 3, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Marvin Bryant T-92379
3-114U
CSP-Solano
P.O. Box 4000
Vacaville, CA 95696-4000

Dated: May 3, 2011

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk